App. F. IX-4

Previous References

1938-9 (SH)

PRESERVED

File No. 7-38

Serial Nos. 1-4

Letter References

Reserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Jour.

Part B for 1938

SUBJECT.

Compassionate gratuity to the family of late Sura Reddy, Police Cons Cole No 201, Provincial Reserve Police.

P(4) To the Comptroller & Auditor General of Police.

N-H 2253-54 & 101-oct 38.

WD 0295—GPB—22,500—1933-37

W.A.P.K. 8/III/38

Sir,

I have the honour to forward herewith the C.J. & Address of the deceased

(1)

Serial No.

From the Comptroller to Govt

No. 9 Pen/Cg. 2459. dated 6.7.38.

Forwards the records re: grant of compassionate gratuity to the family of the late Seena Reddy, P.C. No. 201 of the Provincial Reserve Police.

1) It is reported that Seena Reddy died on 16.8.3 and has left behind him a Keep - (a Reddy widow) - by name Adamma who is stated to have been living with the deceased for the last 6 years and to have claimed compassionate gratuity.

2) One Vastadi Reddi - (brother of the deceased) who is also employed as a police constable, is reported to have claimed the amount. The I.G. of Police has opined that the brother was not living with the deceased; besides he is an earning member himself and does not come within the scope of the word "Family" as defined in Fl. 6202-61/S&A. 243-30-3 dated 9-2-31, and that therefore he is not entitled to any compassionate gratuity.

flag 'A'

3) As regards the Keep, it is true that a Keep is not included in the definition of "Family". and on this ground, the I.G. of Police has expressed the opinion that Adamma, the Keep of the late Seena Reddy is not also entitled to compassionate gratuity.

4) In this connection, kind reference is invited to S&A. 316-31-2 in which legal opinion has been obtained

(Put up with 3899/Fc)

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—18-8-37

Comp. gratuity to the family of the late Seena Reddy, Police Constable, Provincial Reserve Police

119/Fl.

S&A File No. 17 of 193 8 — General and Revenue Secretariat

in a similar case, and Compassionate gratuity was Granted to the Concubine in accordance with the legal opinion that the Keep will have a right for maintenance out of her paramour's estate" provided that the Concubinage be permanent until the death of the paramour, and sexual fidelity to him be proved, when the right of maintenance is established. In S+A.239-32-(1-3), and S+A.163-33-(1-2) S+A.62-37-(1-2), Comp. gratuity has been awarded to Concubines who had issues from the deceased. In S+A.227-35-(1-6) and S+A.505-35-(1-6), the grant of Comp. gratuity has been refused. The deceased in these two cases had no issues from the Concubine. It will thus be seen that there have been instances in the past both for the grant and refusal of Comp. gratuity. and that the practice has not been uniform, each case being dealt with on its merits. Flag S Flag T. Put up with 3889

5) In view of the legal opinion and the financial Secretary's note in S+A.62-37-2, the grant of Comp. gratuity to Adamma is for Orders. Flag T.

BRR 1/8/38

6) The claims of the concubine cannot perhaps be overlooked

Fl. Secy.) BRR 2.8.38.

7) If she is a kept widow, how is it stated in the enclosure that her case falls on all fours with the other cases referred to?

15/8/38 BRR

1194 f38

General and Revenue Secretariat | File No. 119/3C of 193 | [App. F. III—2

Serial No.

Subrd 8) May the Law Deptt be consulted? as for NSR 198 [whether a kept widow cannot be a concubine and is not entitled to the compassionate gratuity.]

9) Asst. Secy., Law, M/c. for favour of remarks.

57/Law BKR/198.

BKR 18.8.38.

10) A concubine is not included in the definition of the word 'family' for the purposes of the grant of compassionate gratuity. A permanently kept mistress is merely entitled to maintenance out of the estate of the deceased. The grant of compassionate gratuity being entirely within the discretion of Govt, it does not form part of the estate of the deceased, and is practically in the nature of a gift to the members of the family dependent upon the deceased for support. The concubine's right of maintenance does not therefore extend to the compassionate gratuity. But whether in the circumstances of any particular case, a concubine may be granted the compassionate gratuity (as has previously been done in some cases) is entirely a matter within the discretion of Govt

BKR 23-8-38

23.8.38.

NOTE—Contn. Sheet.

WD 0284—GPB—90,000—13-8-37

Asst Secy Fin Dept WC

C.9. to concubine

File No. 119/38 of 193

General and Revenue Secretariat

11) Subtd for orders with reference to para)

24.8.38.

~~as for the Dy. P. for this opinion~~

13) The recommendation of the I.G.P. does not make it clear whether in this case, the 'kept widow' is such that she had either to save the deceased or she was absolutely dependent on him. Enquiry may be made.

25.8.38

14) Submitted with a draft enquiry.

27/8/38. 15)

No: X. 1403 of 7.9.38 to the I.G. of Police making the enquiry.

From the I.G. of Police.

No. Pen. C. 266/37-38 dated 22.9.38

States the widow was the concubine of the deceased, that she had no children by him and that she was entirely depending on him for her livelihood until his death.

Submitted with reference to para 13 supra.

TYPING SECTION 1938

119 → 1087
C.S. to concubine

General and Revenue Secretariat | S&A File No. 17 of 193 8 | [App.-F. III—2

Serial No.

In her statement, the widow, who is only 26 years age, states that she was dependent on the deceased until his death and is now earning for her living (H.P.)

29/9
1-10-38

1-10-38

H: Secy

may, I think, be allowed in this case

10.10.38
BR

Submitted with a draft G.O. sanctioning ~~[illegible]~~

BRS 11/10 H. Secy.)

BR
12.10.38.

whether this should not be submitted to Govt is for consideration.

H. Secy.) BR 12.10.38.

12.10.38

Issue.
BR
13.10.38.
13/14

2)

Compn of 8 G.O.s

No 2285-6 of 1/10/38.

Sanctioning a Cg for Rs 52/4/- to the Concubine & the deceased

BR 31/10

TYPING SECTION
15 OCT. 1938
GENL. & REV. SECTT.

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-38

COMPTROLLER'S OFFICE

No. 9 Pen/C.G. 2459

Bangalore, dated 6th July 1938.

Enc. one file of compassionate gratuity papers.

From

The Comptroller to the Government of Mysore, Bangalore

To

SHA 17-38-1

The Financial Secretary to the Government of Mysore, Bangalore.

Sir,

I have the honour to forward herewith, for orders of Government, the Compassionate Gratuity papers particularised below, duly verified and reported on, and to state that a Compassionate Gratuity of Rs. 56-4-0 (Rupees fifty six and annas four only) is admissible under Appendix Q. Mysore Service Regulations and is payable to the family of the deceased in one lump/ instalments for a fixed period of years by conversion into a 'Special Pension' under the scheme tentatively sanctioned in G. O. No. Fl. 5274-5/S. & A., dated 29th January 1930.

The amount of gratuity is chargeable to General Revenues

1. From whom received — The Inspector General of Police
2. Reference with which received — Pen.C.246/37-38 dated 27-5-38
3. Recommended in favour of the family of the late — Seena Reddy P.C.No.201 of Provincial Reserve Police
4. Particulars regarding heirs entitled to participate

1. Adamma keep, age 26 years
2. Vasthadi Reddy, brother age 26 years

There are no children and also no parents.

Neither of these is entitled to compassionate gratuity in accordance with the rules contained in Appendix Q M.S.R. The Inspector General of Police also holds this view and has left the matter to the discretion of Government.

The amount is recommended to be paid to

subject to his /her furnishing an adequate security bond in the form prescribed in G. O.No. Fl 859-900/S. & A. 466-30-2, dated 4th August 1931 to the effect that the amount will be utilized in the interest of the minors also.

I have the honour to be,
Sir,
Your most obedient servant,

J. Venkatagiriyan
Assistant Comptroller. 6/7.
6.7.38

CV

Copy forwarded with compliments to the for information.

COM89R-500-20.4.38

Assistant Comptroller.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated 5th September 1938.

No. 1403

From

The *Financial Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Inspector-General of Police in Mysore,
Bangalore.

Sir,

With reference to your letter No.Pen.C.246/37-38 dated 27th August 1938 regarding the grant of compassionate gratuity to the family of the late Seena Reddy, Police Constable No. 201 of the Provincial Reserve Police, I am directed to state that it is not clear whether in this case, the 'Kept Widow' is such that she had either issue by the deceased or she was absolutely dependent upon him and to request that the information may kindly be furnished.

I have the honour to be,
Sir,
Your most obedient servant,

Financial Secretary to Government.

jgn/2.

Appendix F G—1]

SUBJECT.....

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Section

File No.

Serial No.

Diary No. of letter replied to .....

No. 1403 S/A.

To The Inspector General of Police in Mysore Bangalore

General and Revenue Secretariat

( )

the *193* .

Date of issue 7/9/38.

Signed by for Secy to Govt

Sir,

With reference to your letter No. Pen C 246/37-38 dated 27th August 1938 regarding the grant of compassionate gratuity to the family of the late Seena Reddy, Police Constable No. 201 of the Provincial Reserve Police, I am directed to state that it is not clear whether in the case the "Kept Widow" is such that she had either been by the deceased or she was absolutely

List of enclosures.....

Copied by .....

Examined by.....

Depends upon him and to
request that the interest in
Kindly he ~~sent to Govt~~ terminated
the Matter early.

I have etc

Financial Secy

S+A. 17-38-37.

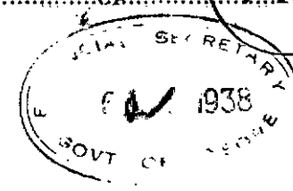
Tel. Address:
"POLICE"
PHONE No. 2108.

POLICE DEPARTMENT.

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE,

When replying please quote
No. P.en.C.246/37-38.

Dated Bangalore, 22nd September 1938.

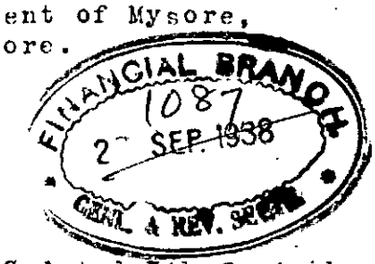


FROM

F. A. HAMILTON, ESQ., C.I.E.,
Inspector-General of Police in Mysore,
Bangalore.

To

The Financial Secretary to the Government of Mysore,
Bangalore.



SIR,

With reference to your No.Fl.1403/S&A/17-38 dated 7th September 1938, calling for certain information regarding the grant of Compassionate Gratuity to the family of late Seena Reddy, Police Constable No.201 of the Provincial Reserve Police, I have the honour to state that the District Superintendent of Police, Provincial Reserve Police reports that the widow in this case is ascertained to be a Concubine and that she had no children by him but that she was entirely depending on him for her livelihood until his death.

The statement of the widow Adamma is herewith enclosed for reference.

I have the honour to be,
Sir,
Your most obedient servant,

For INSPECTOR GENERAL OF POLICE.

KVN.

Statement of Adamma, concubine of late P.C. 201 Seena Reddy of P.R.P. Bangalore.

I beg to state that I was the concubine of late P.C. 201 Seena Reddy of Provincial Reserve Police, Bangalore. I have no children by him. I was absolutely depending upon him until his death. Now, I have been working in a Brahmin's house to earn my livelihood. The fact is known to some of the Officers of P.R.P.

Left thumb impression
of Adammall.
19/9/38.

Statement of Subedar Ramasamy Naidu, P.R.P. & some Recd Pmen

I beg to state that the above statement of Adamma is true. I know that Adamma was living with late P.C. 201 Seena Reddy both at Kolar Gold Fields Detachment & Kadur Detachment.

@Ramasamy Naidu.
Subedar,
P.R.P.
19/9/38.

Abdul Sattar
Subedar Major
P.R.P.
19/9/38

Before me
J.H. Rees.
Superintendent P.R.P.
19/9.

T. Manuel
Hdr. No. 20, P.R.
19/9/38

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:--

Letter No. 9 Pen./C.G. 2459 dated 6-7- 193 8, from the Comptroller to Government, forwarding with his report the Compassionate gratuity papers on behalf of the family of the late Seena Reddy, Police Constable No.201, Provincial Reserve Police received from the Inspector General of Police in Mysore.

2. Correspondence ending with letter No.Pen.C.246/37-38 dated 22nd September 1938 from the Inspector General of Police

G. O. No. Fl. 2283-84 Dated, Bangalore, 17th Oct.1938. in the matter of SJH 19-38-47 78.

It is reported that ~~xxx~~ Seena Reddy, late Police Constable died on 16-8-1937 leaving behind him his ~~xxxx~~ concubine Adamma aged 26 years ~~xxx~~ that he ~~xxxxxxxxxxx~~ had no children and that his parents are not alive.

~~years respectively~~

2. The Comptroller certifies that a compassionate gratuity of Rs. 56-4-0 is admissible under Government Order No. Fl.7418-77/S.& A. 252-28-4 dated the 3rd April 1929 as amended by G.O.No.Fl.2283-343/S.& A. 252-28-6 dated 24/25th September 1929 and that the same is payable in one lump ~~of in instalments for a fixed period of ten years by conversion into a "Special Pension."~~

3. Sanction is accorded to the payment of a compassionate gratuity of Rs. 56-4-0 (Rupees fifty six and annas fou only) to Adamma, concubine legal heir/ guardian to the legal heirs of the deceased in the manner indicated by the Comptroller in para 2 supra, ~~after security is taken in the form approved in Government Order No.Fl.850-900/ S.&A.466-30-2 dated the 4th August 1931 that the amount will be used in the interests of the minors also.~~

S.R. Janakiramiah.
Financial Secretary to Government

To--The Comptroller to Government. with records.

The Inspector General of Police.